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PATENT APPLICATION

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UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Fabio Casati et al.

Application No.: 10/066,098

Filing Date: 01-31-2002

Confirmation No.: 8026

Examiner: LaShanya R. Nash

Group Art Unit: 2153

Title: Dynamic Conversation Logic Selection Method and System

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF REPLY BRIEFTransmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on August 22, 2007.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

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Respectfully submitted,

Fabio Casati et al.

By 

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Applicants:	Fabio Casati, et al.	§	Art Unit:	2153
		§		
Serial No.:	10/066,098	§		
		§	Examiner:	Lashanya Renee Nash
Filed:	January 31, 2002	§		
		§		
For:	Dynamic Conversation Logic	§	Atty. Dkt. No.:	10010118-1
	Selection Method and System	§		(HPC.0311US)

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REPLY BRIEF

Sir:

The following sets forth Appellant's reply to the Examiner's Answer dated August 22, 2007.

**I. REPLY TO EXAMINER'S ANSWER REGARDING APPELLANT'S
ARGUMENTS REGARDING CLAIMS 1, 21, 24, AND 25**

In the Examiner's Answer, the Examiner adopted a broad definition of "conversation logic." However, contrary to the assertion of the Examiner, even if the broad construction adopted by the Examiner were true, the cited references still do not render obvious the claimed subject matter.

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<u>Ginger Yount</u>	
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Independent claim 1 recites:

1. A method for selecting a conversation logic at run-time for a workflow definition that includes at least one node with no hard-coded conversation logic, the method comprising the steps of:
 - a) maintaining a conversation logic repository that includes at least one conversation logic that is external to the workflow definition;
 - b) when executing the node with no hard-coded conversation logic, dynamically discovering a service associated with the node with no hard-coded conversation logic;
 - c) determining a corresponding conversation logic in the conversation logic repository based on the discovered service; and
 - d) dynamically plugging in the determined conversation logic into the node at run time.

As noted in the Appeal Brief, the Examiner incorrectly asserted that Acharya discloses the following clause of claim 1: "determining a corresponding conversation logic in the conversation logic repository based on the discovered service."

The Examiner relied upon ¶ [0037] of Acharya as disclosing this claimed feature. This passage of Acharya describes a service detector module of a service discovery proxy (element 102 in Fig. 1 of Acharya) that receives a service query and determines the appropriate communication protocol to use to send queries to local devices for discovering services of such local devices. Selecting the appropriate communication protocol to use for communicating with local devices is not the same as determining a corresponding conversation logic **based on the discovered service**, as recited in claim 1. In fact, note that the communication protocol that is selected by the service detector module of the service discovery proxy in Acharya relates to sending queries from the service discovery proxy to local devices to discover services provided by such local devices. Thus, the operation described in ¶ [0037] of Acharya relates to selecting the appropriate communication protocol to allow the discovery of services; therefore, clearly, the

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operations in ¶ [0037] of Acharya do not determine a corresponding conversation logic based on the discovered service, because the communication protocol selection operation in ¶ [0037] has to be performed before the service discovery proxy can determine services of local devices.

In response, the Examiner cited to the following passage of Acharya:

Determining appropriate communication protocol involves multicasting service discovery packets over a plurality of network media using a plurality of communication protocols and determining the appropriate protocol by evaluating response to the multicast.

Acharya, ¶ [0037].

The Examiner argued that the above proves that service discovery is performed first before selection of the communication protocol. However, such an assertion does not make technical sense. When the cited passage of Acharya is read carefully, it is noted that what is happening is that service discovery packets are sent using a plurality of communication protocols. In other words, the service detector module described in ¶ [0037] is not aware of which of the plurality of communication protocols is proper. By multicasting service discovery packets using a plurality of communication protocols, the service detector module is able to determine the “appropriate protocol by evaluating response to the multicast.” *Id.*

The Examiner’s assertion that the communication protocol is determined after service discovery is clearly incorrect. Without knowing the proper communication protocol, the inquiries for performing discovery of services of local devices could not properly proceed. The service detector module of Acharya has to perform inquiries with local devices to discover services of such local devices. Before it can make such inquiries, the service detector module described in ¶ [0037] clearly has to first determine the appropriate communication protocol to use—otherwise, discovery of services at the local devices would not be possible.

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Therefore, it is respectfully submitted that the Examiner is misreading Acharya, and based on such misreading of Acharya, has misapplied Acharya against the claim limitation. The obviousness rejection is defective for at least this reason.

The Examiner has also misapplied Acharya against another element of claim 1: “dynamically plugging in the determined conversation logic into the node [of a workflow definition] at run time.”

The Examiner cited ¶¶ [0031]-[0034] of Acharya as disclosing the dynamic plugging task of claim 1. However, note that the cited passages of Acharya refer to the service discovery proxy responding to a request for service discovery by sending queries to local devices and receiving responses to such queries regarding available services provided by the local devices. The determining of services available at local devices, as performed in ¶¶ [0031]-[0034] of Acharya, clearly does not teach or hint at dynamically plugging in the determined conversation logic into the node at run time.

The Examiner argued that the term “plugging in” “generally refers to dynamic execution as opposed to use of a predefined hard-code (i.e., workflow specification time, specification page 5, lines 4-16.” 8/22/2007 Examiner’s Answer at 13. The term “dynamically plugging in” does not mean “dynamic execution” as asserted by the Examiner. The Examiner has found absolutely no support for such an unreasonably broad construction of “dynamically plugging in.” In fact, the passage on page 5, lines 4-16, of the Specification cited by the Examiner provides no support for the Examiner’s construction of “plugging in.” Even more importantly, the Examiner’s “broad” construction of “dynamically plugging in” as used in the claim has effectively ignored express words of the claim, which is clearly improper.

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The express language of claim 1 is as follows: "dynamically plugging in the determined conversation logic into the node [of the workflow definition] at run time." Acharya's teaching regarding dynamically modifying a service discovery response is clearly not the same as dynamically plugging in the determined conversation logic into the node of a workflow definition at run time.

The modification of the service discovery response noted by the Examiner actually is mentioned in ¶ [0032] of Acharya, which states that the response to the service discovery received from the local device is customized by formatting, filtering, aggregating, and/or selecting particular responses. The customized response is then sent back to the original inquirer. Modifying the response by customizing such response, where the customizing includes formatting, filtering, aggregating, or selecting particular responses, clearly provides no suggestion of plugging in a determined conversation logic into a node of a workflow definition at run time.

Moreover, it is important to note that the Examiner equated the conversation logic of claim 1 with either the communication protocol of ¶ [0037] of Acharya. There is absolutely no indication whatsoever that the communication protocol of ¶ [0037] of Acharya constitutes conversation logic that can be plugged into the response mentioned in ¶ [0032] of Acharya.

Based on this further erroneous application of Acharya to the claim language, the obviousness rejection is clearly defective.

In view of the foregoing, and in view of the reasons set forth in the Appeal Brief, it is respectfully submitted that reversal of the final rejection of claims 1, 21, 24, and 25 (and all other remaining claims) be reversed.

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CONCLUSION

For the foregoing reasons, and reasons set forth in the Appeal Brief, reversal of all final rejections is respectfully requested.

Respectfully submitted,

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